

#12



PATENT  
ATTORNEY DOCKET NO. 052250-5019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Joseph G. RADZIK )  
Application No.: 09/965,983 )  
Filed: September 28, 2002 )  
For: FERROUS PIPE COUPLINGS AND )  
PRELUBRICATED COUPLING )  
GASKETS )

OFFICE OF PETITIONS  
Mail Stop DAC

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop DAC  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

*Notice*  
**RECEIVED**  
AUG 26 2003  
OFFICE OF PETITIONS  
*9-4-03*  
*[Signature]*

Sir:

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated January 31, 2003, finally rejecting claims 1-23.

1. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant have inadvertently overlooked the need for a petition and fee for extension of time.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$0.00.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

2. Notice of Appeal Fee - 37 C.F.R. § 1.17(b)

- ☐ The fee in the amount of \$320.00 to cover the appeal fee is enclosed.
- ☒ The Commissioner is authorized to charge the appeal fee of \$320.00 to Deposit Account No. 50-0310.

3. Fee Payment

- ☒ The Commissioner is authorized to charge Deposit Account No. 50-0310 in the amount of \$320.00 representing \$320.00 for the Notice of Appeal fee.

4. Constructive Petition

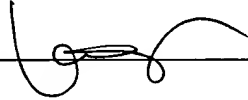
☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: August 22, 2003

By:

  
Khoi Q. Ta  
Reg. No. 47,300

**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202-739-3000  
Fax: 202-739-3001